DOCUMENT RESUME

ED 128 880 EA 008 647

TITLE	T & E. A Primer for School Improvement in New Jersey.
INSTITUTION	New Jersey State Dept. of Education, Trenton.
PUB DATE	[76]
NOTE	49p.; Not available in hard copy due to color of print
EDRS PRICE	MF-$0.83 Plus Postage. HC Not Available from EDRS.
DESCRIPTORS	*Administrative Policy; *Educational Legislation; *Educational Planning; Educational Policy; Elementary Secondary Education; *Equal Education; Models; School Law; *State Legislation
IDENTIFIERS	New Jersey; *New Jersey Public School Education Act 1975

ABSTRACT

This booklet summarizes and discusses the major provisions of New Jersey's Public School Education Act of 1975 and describes the educational planning process outlined in the act. The appendix contains the complete text of the act, as well as the section of the New Jersey Administrative Code that regulates implementation of the act's requirements. (JG)

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T & E

A Primer for School Improvement in New Jersey

Department of Education
State of New Jersey
225 West State Street
Trenton, New Jersey 08625

EA 008 647

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FOREWORD

STATE OF NEW JERSEY
DEPARTMENT OF EDUCATION
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TRENTON, N. J.

OFFICE OF THE COMMISSIONER

I am most pleased to present the report "T and E: A Primer for School Improvement in New Jersey." It sets forth the key concepts contained in the Public School Education Act of 1975, and thus deserves careful study by professional educators and all citizens concerned with public education in New Jersey.

No educational goal is more important than the successful implementation of a "thorough and efficient" system of public schools in our state. Through the education planning process outlined in the new act, spelled out in regulations, and summarized in this booklet, the quality of education our children receive can be markedly improved.

I hope that this booklet will prove useful to you in achieving this important end.

Fred G. Burke
Commissioner

Table of Contents

Page

PART I

A Primer for School Improvement in New Jersey 1
Historical Background of T & E (Chapter 212) 2
General Principles of Chapter 212 4
Local School District Implementation of T & E 8
T & E Information and Assistance Available to Districts 13
Prospectus 15

Appendicies

PART II

Public Education Act of 1975 (Chapter 212) 16

PART III

N.J.A.C. Title 6, Subtitle B (Administrative Code) 34

Illustrations from MARMADUKE MULTIPLY
New York: Blakeman & Mason
21 Murray Street (not before 1851).

4 times 11 are 44.

I bought this book at Francis'

Store.

T & E
A PRIMER FOR SCHOOL IMPROVEMENT IN NEW JERSEY

This primer attempts to provide information which will help local districts and citizens understand and participate in the T & E process. Exact legal requirements are stated in Public Education Act of 1975 (Chapter 212) and NJAC Title 6, Subtitle B. (See Appendecies)

HISTORICAL BACKGROUND

With passage in 1975 of Chapter 212 *(referred to earlier as S. 1516)*, the Legislature took a giant step toward assuring that New Jersey's system of schools would become the finest in the country. The legislative goal is "to provide to all children in New Jersey, regardless of socio-economic status or geographic location, the educational opportunity which will prepare them to function politically, economically and socially in a democratic society."

For the many who may wonder how the term "thorough and efficient" found its way into the law, it may come as a surprise to know that an amendment to the New Jersey Constitution, enacted in 1875, directed to Legislature to:

> *Provide for the maintenance and support of a thorough and efficient system of free public schools . . .*

It took over a quarter of a century before the Legislature placed responsibility on the State Board of Education and the Commissioner to take steps to implement the Constitutional amendment. In 1903, the board was authorized to:

> *"inquire into and ascertain the thoroughness and efficiency of operation of any of the schools of the public school system of the state."*

The matter rested there unto 1972, when suit was brought against the State in the courts of New Jersey, charging that Robinson, the plaintiff, was not receiving educational opportunity equivalent to that existing in other communities, and that reliance on property taxes as a means of financing schools further contributed to that inequality of opportunity *(Robinson vs. Cahill)*. In 1973, the courts, deciding for the plaintiff, directed the State Board to define the educational obligation intended by the phrase "thorough and efficient" and to develop a plan of financing to meet the Constitutional mandate. Chapter 212 was the

Legislature's response to that State Supreme Court decision. That law is now New Jersey Statutes Annotated C 18A:7A-1 *et seq*.

Recognizing that "thoroughness and efficiency" of a school system is a condition which would vary with present and changing needs of both the State and each school district and community, Chapter 212 provides for democratic decision making in the local school district in areas such as hiring and dismissal of personnel, the curriculum of the schools, and the establishment of district budgets. There must be a maximum of citizen involvement, and decisions must be consistent with Statewide goals, guidelines and standards.

Fortunately, in the past five years or so, New Jersey, along with a few other states, has been pioneering in ways that place it in position to begin to carry out the expectations of Chapter 212. The plan worked out for implementing the law is the result of a stream of work involving the State Department of Education, counties, school districts, associations, consultants, legislative representatives and many other people. It also follows several years of experimentation by cooperating school districts in the State which have found it possible in their practical world to achieve significant improvements in educational achievement. The result is a process which is at once meaningful and realistic for school districts to employ and has been shown at the same time to improve education as schools become "thorough and efficient."

As is the custom of busy Americans, "thorough and efficient" has been reduced to the essential letters, "T&E." Most school systems have been doing all along a large part of what Chapter 212 now calls for:

- Most school people have planned a year or two ahead what goals they were going to try to achieve, but they have not always formalized them. In developing the goals, they have not always consulted with parents, pupils or other citizens whose lives and hopes are most affected by those plans. School goals, as a result, have sometimes fallen short of target or alienated the community by running counter to its needs.
- In determining just how well their pupils are faring in relation to the goals set, school personnel have sometimes lacked objective information, from a needs assessment, on the current status of the student body. Consequently, objectives for achievement were sometimes set too high or too low, or some needs were ignored altogether.
- School decision makers are often aware of the latest methods and programs for meeting needs they have determined, but the rate of

production and research on new materials and practices is so rapid as to overcome even the most avid reader of educational journals, publication catalogs and computerized educational information systems. As a result, in identifying curricula, resource materials, or other approaches to use, they have not always been informed as to which are best developed and researched or which have worked in settings similar to their own. Consequently, they have sometimes failed to get suitable educational results for their children and have borne unnecessary costs in the process.

- In judging how well their goals have been achieved, schools have always tried to describe their level of accomplishment. Often, however, evaluation has been based on intuitions or subjective judgment. As a result, schools have been criticized for not having objective evidence to justify their programs; in short, accountability fell into question.
- At a time when resources, especially dollars, are scarce, some may feel that any new effort is likely to be counterproductive. Yet it is just in times such as these that the wisest use of resources is needed. T and E is, in effect, a "survival resource" because it sets up procedures for using productive educational programs, methods and materials and discarding those which fail to produce results.

The process does not impose something new on top of everything that exists. It provides the basis for a shift of emphasis to meet important needs in the most effective possible way.

In sum, it is not to complain that schools are doing no planning or evaluating of their own efforts that the New Jersey legislature has reinforced its century-old mandate for T and E; it is rather to encourage schools to go about it in ways which hold even greater promise for present and future generations of youngsters to enable them to achieve to the fullest the potential given to them.

The result of T and E's step-by-step process should be schools that are even more responsive to the needs of parents, children, the community and the State; schools that are accountable in the sense that they produce demonstrable results; schools that are dynamic, moving continuously toward greater quality of learning for all of New Jersey's children.

GENERAL PRINCIPLES OF CHAPTER 212

- **Local Autonomy Protected**
  Autonomy in the running of local schools is enhanced by Chapter 212 and by the plan for implementing it. The local district sets its

own goals, objectives, and standards for improvement. Nothing in T and E demands any particular curriculum, mode of teacher training or system of evaluation.

- **Implemented Over Time**
  T and E is a long-range improvement effort and districts may move through it at different rates. The plan for local school districts will recognize the sequential nature of the various components. As described later, a well-paced, serious, systematic effort at goal setting will be developed, followed by needs determination, and program planning, implementation and evaluation. In addition, programs may be introduced at different points in time and may have different timelines to accomplish objectives.
- **Recognizes individuality of districts as a baseline for improvement**
  Districts vary widely not only in their educational needs, but in the resources and programs they require to meet needs. Some districts are more advanced than others in their programs and planning. Chapter 212 does not expect, in fact would discourage, every district from having precisely the same programs because community and student needs differ. It does expect districts, however, to move through a process which targets the meeting of their needs in an organized way.
- **Does not necessarily eliminate present school programs**
  It will take several years for the process envisioned by Chapter 212 to be completely operational. Consequently, while gearing up to implement Chapter 212, schools may continue existing educational programs introduced to achieve school improvement. When evaluation evidence supports the utility of these programs, continued use will be encouraged. As new needs are identified, or as evidence of limited effectiveness is found, districts will develop or identify new and better programs.
- **Makes information and technical assistance available to districts at every step along the way**
  The State Department of Education recognizes that local districts themselves are in the best position to bring about school improvements. But it does not expect them to do so completely alone. The experience and knowledge of New Jersey's school districts, the County Offices and Educational Improvement Centers (EIC's) of the State Department of Education*, and the State Department's dissemination and diffusion network and the tie-in to the national network from which successful programs and processes from the rest of the country can be obtained, will be organized for ready access by districts. From these resources local districts may

*For more specific descriptions of the assistance available, see page 13.

request general or specific information, materials, technical training and technical assistance to help plan and implement efficiently each step in the T and E process.

- **Nothing in T and E to reduce breadth of program to meet individual student needs**
  Differences of pupils in ability, interest, achievement, personality and culture continue to demand individualization in educational programs. Attention is not to be directed away from students with special education, bilingual needs or educational disadvantages. Guidance and counseling services are required.
- **Priority attention to achievement in basic communication and computational skills**
  By law *(Article 11, Chapter 212)*, verbal and computational skills are singled out for priority by all districts and all schools of the State. In so doing, the Legislature has affirmed its belief that these skills are basic to all learning and to later success as adults.
- **Nothing in T and E which restricts goals, objectives or educational programs to cognitive achievement only**
  While the law is specific in assigning high priority to achievement in verbal and computational skills, local districts must specify additional goals consistent with the intent of State goals and may add additional goals to reflect community aspirations.
- **Assessment methods not restricted to standardized tests**
  Local districts may select their own means of measuring achievement or progress in ways they can justify as being valid, reliable and practical. "Procedures for such assessment shall include but not be limited to interviews and informal/formal evaluation techniques, cumulative pupil records, local and state test results and medical examinations (Title 6, N.J.A.C. 6:8-1 *et seq.*)."

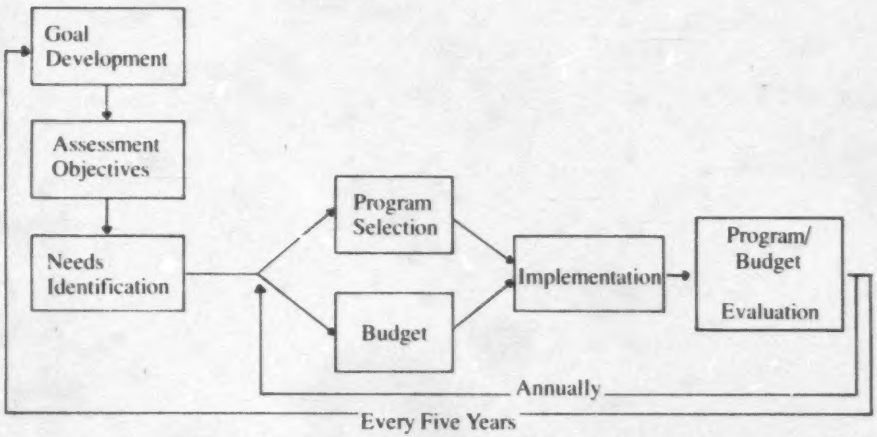
Most school districts in New Jersey are familiar with a secondary school approval process in which they participate every ten years, using a process which includes comprehensive self-evaluation. Chapter 212 carries this process to its logical conclusion by emphasizing the need to develop and implement plans for improvement where needs are disclosed and reducing the time cycle to five years. In lieu of the previous process of intensively gearing up for the self-evaluation and producing the required report in preparation for the State and County visitation, the continuing assessment, planning and evaluation cycle of T and E should produce a better paced effort at the school district level. The new process can be described in six steps:

- planning and conducting a goal setting process with community involvement

- planning and conducting an objectives/goal indicators and standards setting process
- planning and conducting a needs identification process by assessing where pupils are at present in relation to the objectives/goal indicators and standards
- establishing educational programs to achieve objectives
- measuring the effectiveness of the educational programs in achieving those objectives and making changes as needed
- budgeting annually for the educational plan and program

A paradigm of these stages, followed by a narrative overview of how a local school district can relate to them in implementing T & E, is presented on the following pages.

General Planning Model



CONCERNS TO BE CONSIDERED IN EACH STEP

1. Context
2. Communications
3. Involvement
4. Priorities
5. Data Needs
6. Management Process
7. Evaluation

HOW A LOCAL SCHOOL DISTRICT IMPLEMENTS T and E

STEP 1 GOAL DEVELOPMENT

What?

The district develops district and school goals with involvement of teachers, staff members, administrators, board members, pupils, parents, and other citizens.

Why?

1. To assure that the schools continue to be responsive to the needs of all concerned groups.
2. To assure that local goals are consistent with state goals determined by the State Board of Education.
3. To provide a base against which to assess school needs and set objectives for programs.

How?

- Gather current information about the community and school system as background data for goal development.
- Study the statewide educational goals.
- Prepare a written plan for the goal development task which assures broadest representation of views in the process and a calendar for its completion.
- Follow the plan and calendar to develop goals for the district and its individual public schools.
- Analyze the information collected, by school and district, and obtain broad public review before final approval by the school board.

When?

The county education office will assist each district in establishing timelines for goal development. Because many districts have already completed some of the above requirements, provisions are now being made to permit such districts to enter the formal T & E process at appropriate levels. Districts which have completed some process steps will be assisted in initiating work on incomplete areas within a reasonable timeline.

Help?

1. Orientation and interpretation by the County Superintendent's staff.
2. EIC's are available upon request to identify and assist in implementing alternative approaches to goal development based on the experiences of other school systems in and outside of the State and with knowledge of the District's unique characteristics.

Approval?

State Department of Education's County Office.

Step 2 ESTABLISHING ASSESSMENT OBJECTIVES (GOAL INDICATORS AND STANDARDS)

What?
The district specifies in writing, objectives/goal indicators and specifies the level of student achievement desired.

Why?
In order to identify elements of the goals and establish standards for use in assessment.

How?
- The district establishes objective/goal indicators which specify goal elements to be assessed.
- The district then establishes levels of proficiency (standards) which will be used to assess the current educational system in terms of its goals.
- The plan must provide for assessing each pupil upon entrance and annually thereafter in basic communication and computational skills.

Help?
1. Orientation and interpretation by the County Superintendent's staff.
2. EIC is available upon request to identify and assist in implementing alternative approaches to setting objectives and to help school districts adapt those determined as most suitable for the district's purpose.

Approval?
State Department of Education's County Office.

Step 3 NEEDS IDENTIFICATION

What?
The LEA (Local Education Agent) determines the difference between its current status and desired level of proficiency.

Why?
The assessment is carried out in order to establish whether or not an acceptable level of achievement is being obtained by the districts in relationship to goals. It will be the difference between level of achievement desired and present level of achievement, determined from the needs assessment, that will form the base for new or modified educational programs.

How?
- Prepare a written plan and calendar for determining the status of the district with respect to each previously determined goal, based on the objectives/goals indicators and standards.

- Implement a plan and a calendar for arriving at the difference (discrepancy) between present achievement and desired achievement.
- Prepare a report of the findings showing the present and desired achievement for each goal. If achievement expectations are not met, an educational need exists.

Help?

1. Orientation and interpretation by the County Superintendent's staff.
2. EIC, through its technical assistance and information storage and retrieval capability of education programs and research within and outside of the State, is available upon request to provide training or technical assistance on alternative approaches to assessment.

Approval?

State Department of Education's County Office.

Step 4 DEVELOPING AND INSTALLING EDUCATIONAL PROGRAMS

What?

The district school board adopts and implements an educational program for the district and each school which includes programs designed to improve the quality of education and plan for professional improvement.

Why?

To improve the level of educational achievement in the district and school by attempting to attain the stated goals, standards and objectives.

How?

- Establish, with the teaching staff, a program which provides for the translation of community goals into educational objectives and programs.
- Identify or develop educational programs for each school which can be used to achieve the objectives established by the district and determine any resources needed to carry out each program. Program planning should consider individual student differences; ranges in aptitude, talents and interests; responsiveness to different teaching approaches; differences in socio-economic advantage; and the needs of the handicapped, bilingual and other minority students. It may be necessary to use multiple educational programs to reach a suitable level of achievement for the individual as well as the group.
- Implement the educational program, which should provide for the remediation of pupil deficiencies in the basic communication and computational skills.

- Prepare a plan and calendar for implementing and evaluating each program in the district's school improvement plan.

Help?

1. The County offices can assist in relating successful programs developed or adopted in its other districts to the needs of each and in interpreting guidelines and procedures.
2. RIC's provide assistance upon request in setting long- and short-range program objectives, in identifying alternative prospective educational programs to meet specified needs, or in giving technical advice on program development and evaluation methods.

Approval?

State Department of Education's County Office.

Step 5 EVALUATING EDUCATIONAL PROGRAM EFFECTIVENESS

What?

The district measures the extent to which its educational programs actually fulfill their expected purposes.

Why?

To establish credibility for those educational programs and activities identified as necessary for meeting accepted levels of achievement by supplying evidence that they work to accomplish what they were intended to accomplish. Through this process, the district is able to demonstrate to the community that expenditures and other inputs to education lead to beneficial outputs in the form of student achievement.

How?

- Describe how it will be demonstrated that program objectives have been met or the means by which progress toward possession of skills, knowledges and competencies will be measured.
- The LEA identifies and develops methods by which the accomplishment of program objectives will be measured and evaluated.
- Conduct the evaluation through the teaching staff under the direction of the chief school administrator and in consultation with parents and pupils.
- Use evaluation findings to develop recommendations for school improvements for the following year.
- Report the results of the evaluation study annually to the district school board.

Help?

1. Orientation and interpretation by the County Superintendent's staff.
2. EIC provides assistance in developing or locating and implementing alternative evaluation models for the educational programs selected by a district. Referrals to outside evaluation specialists may also be requested from EIC.

Approval?

State Department of Education's County Office.

Step 6 BUDGET REVIEW

What?

The LEA budgets annually for its projected educational plan and programs.

Why?

To assure necessary input of funds, materials, equipment, staffing, space and other resources to carry out the projected plan and programs.

How?

Use budget procedures and guidelines developed by the State Department of Education.

Help?

Orientation and interpretation by the County Superintendent's staff.

Approval?

State Department of Education's County Office.

Initiation of the Process

It is recognized that districts are at various steps in implementing the T & E process. Some districts have conducted goal development processes. There is also considerable variance in T & E implementation within districts. For example, a district may have completed assessment activities in one or more goal areas and be ready to initiate improvement plans in those areas, but needs to conduct assessment in other goal areas.

The state, in developing its reporting requirements and calendar, will recognize these differences and provisions will be made for the development of individual district T & E process entry plans.

Annual Report

In an annual report the districts will report on plans and progress concerning the implementation of the planning process, achievements of the previous year and plans for improvement. The report will be reviewed by the County Office in conjunction with budget plans, as part of the district and school approval process. The report will also provide data for the State Department's reporting obligations.

State Monitoring and Approval
Local districts will be monitored by County Office staff an average of six times a year. Once every five years districts will receive a more comprehensive on-site review by a team organized by the County Office. The monitoring, on-site team visits and Annual Reports will serve as a basis for classification of districts and schools as "approved," "conditionally approved" or "disapproved."

RECAP OF T and E INFORMATION AND ASSISTANCE AVAILABLE TO DISTRICTS

Throughout the T and E process are references to information and technical assistance resources available to local districts. Just how do districts take advantage of them?

County Office
The County office, in connection with T and E, has responsibility for:

- Assisting districts in all phases of their efforts and monitoring progress of the total educational planning process and improvement programs of local districts.
- Reviewing each district's budget for adequacy with regard to long- and short-range objectives.
- Conducting on-site evaluation visits.
- Approval of district plans and reports.
- Continuing regulatory responsibility including:
  — Certification
  — Budget preparation
  — Building facilities
  — Pupil transportation contract approvals
- Serving as representative of the Commissioner in a variety of educational capacities in the county.

EIC Services
A primary point of contact to a technical assistance system which branches out to include the nation as a whole is the Educational Improvement Center (EIC). Four EICs are being developed to serve different geographical areas of the State.

- EICs are equipped with comprehensive educational information storage and retrieval facilities, making possible rapid response to inquiries on a broad range of topics dealing with what's new, and what's tried and proved in education today, coming from within and outside of the State of New Jersey.
- They can provide personalized technical consultation services on numerous educational topics. In so doing, EIC can assist in locating,

modifying or designing programs needed by local districts for use in school improvement, ranging from models for goal setting to assessment and evaluation.

- They can organize and administer orientation, awareness or training programs for local education personnel on a similarly broad range of educational subjects, or can assist districts to plan and provide their own in-service training programs.
- They can link a local district with other districts, either within New Jersey or anywhere else in the United States, whose experience and products can be helpful in meeting the needs of a local "consumer" district. This process is backed up and facilitated by New Jersey's diffusion and dissemination program which, along with all other states, validates such products or programs as being learner and cost effective. For many of these, consulting services, training services and materials are available directly from districts which produced them, without cost. There are hundreds of such nationally approved projects. many of which were developed by school districts within New Jersey.

Direct Inter-District Contact

In addition, many New Jersey districts have effective programs, processes or materials not included in the National chain. The State Department is taking steps to identify these so that they can be linked up with other districts, both in and out of the state, having the same need.

Of course, districts are encouraged to contact other districts directly to take advantage of capability they already know about. And in numerous instances, districts have developed, and will develop in the future, programs which more effectively meet their own needs.

State Activity

The central State Department staff, as has already been indicated, provides assistance by playing an important role in a national research and development diffusion network, which is coordinated by the National Institute of Education and the U.S. Office of Education. Other State procedures which may be helpful to districts in carrying out their T and E programs are results of Statewide Testing, conduct of Educational Audits, and support of educational research and development.

Educational Associations

The contribution of the various educational associations in assisting school districts with a broad range of needs associated with T and E can also be of major significance. The associations have long been in

the forefront of identifying and publishing information on a wide variety of educational subjects, and conducting training in these subjects as well. Their interest and commitment to the success of Chapter 212 are highly regarded.

Thus, a wide network of information and assistance is accessible to local districts with specific needs for educational products or programs.

PROSPECTUS

By September 29, 1979, the State Board is required to make a comprehensive report to the Governor of the effectiveness of Chapter 212 in producing a thorough and efficient system of free public schools. The report is expected to include an account of the progress of each local school district in meeting the goals, objectives and standards prescribed under the Act.

Between now and then, every teacher, every school administrator and every Board member has an opportunity to do what everyone agrees shoud be done: provide education at the highest possible level of quality and quantity, in those subjects and other areas believed to be important by parents and other residents of the community. By hard work and a deep sharing of conviction, between now and 1979, the report to the Governor will reflect a new dynamic process which works and brings about continuous improvement of New Jersey's educational excellence.

6 times 9 are 54.

My little boat has come ashore.

CHAPTER 212, LAWS OF 1975

CHAPTER 212, LAWS OF 1975

(Senate Bill No. 1516, 1975, approved September 29, 1975)

AN ACT providing for a thorough and efficient system of free public schools, a State aid program implementing such system, revising parts of the statutory law and supplementing Title 18A of the New Jersey Statutes.

BE IT ENACTED by the Senate and General Assembly of the State of New Jersey:

Article I. Short Title; Legislative Findings; Definitions

1. This act shall be known and may be cited as the "Public School Education Act of 1975."

2. a. The Legislature finds and declares that:

(1) The New Jersey Constitution provides that the maintenance and support of a thorough and efficient system of free public schools for the instruction of all the children in the State between the Ages of 5 and 18 years is a legislative responsibility:

(2) It has been determined by the Supreme Court of New Jersey that the constitutional requirement has not been met and that action must be taken to correct any deficiencies;

(3) Extensive efforts have been made by the Executive and Legislative branches of State Government and others since the Supreme Court's decision to determine the content of a thorough and efficient system of education and how it may be assured;

(4) Because the sufficiency of education is a growing and evolving concept, the definition of a thorough and efficient system of education and the delineation of all the factors necessary to be included therein, depend upon the economic, historical, social and cultural context in which that education is delivered. The Legislature must, nevertheless, make explicit provision for the design of State and local systems by which such education is delivered, and should, therefore, explicitly provide after 4 years from the effective date of this act for a major and comprehensive evaluation of both the State and local systems, and the sufficiency of education provided thereby;

(5) In order to encourage citizen involvement in educational matters, New Jersey should provide for free public schools in a manner which guarantees and encourages local participation consistent with the goal of a thorough and efficient system serving all of the children of the State;

(6) A thorough and efficient system of education includes local school districts in which decisions pertaining to the hiring and dismissal of personnel, the curriculum of the schools, the establishment of district budgets, and other essentially local questions are made democratically with a maximum of *citizen* involvement and self-determination and are consistent with Statewide goals, guidelines and standards; and

(7) Such a system should be in part locally funded to encourage involvement of and assure the financial supervision by the residents of the local unit,

and in part State funded, to equalize Statewide the tax effort required for a thorough and efficient system of free public schools.

b. The Legislature, therefore, hereby accepts the responsibility:

(1) To define the overall goal of a thorough and efficient system of free public schools in New Jersey;

(2) To establish guidelines within which such a system shall operate;

(3) To delegate to appropriate State and local agencies the authority:

(a) to establish goals and objectives consistent with legislative guidelines, and

(b) to define standards of performance necessary to indicate achievement of the goals and objectives;

(4) To establish a funding structure which will ensure that adequate financial resources shall be available to enable a system of free public schools to operate throughout the State; and

(5) To monitor the system of free public schools and provide for corrective action when necessary to ensure adequate progress toward the achievement of goals and objectives.

3. For the purposes of this act, unless the context clearly requires a different meaning:

"Administrative order" means a written directive ordering specific corrective action by a district which has shown insufficient educational progress within a reasonable period of time in meeting goals and standards.

"Approved special class pupil" means a pupil enrolled in any class for atypical pupils pursuant to chapter 46 of Title 18A of the New Jersey Statutes.

"Approved special education services pupil" means a pupil receiving specific services pursuant to chapter 46 of Title 18A of the New Jersey Statutes but excluding pupils attending county special services school districts.

"Bilingual education pupil" means a pupil enrolled in a program of bilingual education approved by the State board.

"Budgeted capital outlay" means those capital outlay expenditures that are included in the annual school budget.

"Categorical programs" means those programs and services recognized in this act as requiring per pupil expenditures over and above those applicable to regular programs, as provided in section 20 of this act.

"Current expense" means all expenses of the school district, as enumerated in N.J.S. 18A:22-8, other than those required for interest and debt redemption charges and any budgeted capital project.

"Debt service" means and includes payments of principal and interest upon school bonds and other obligations issued to finance the acquisition of school sites and the acquisition, construction or reconstruction of school buildings, including furnishings, equipment and the costs of issuance of such obligations and shall include payments of principal and interest upon bonds heretofore issued to fund or refund such obligations, and upon municipal bonds and other obligations which the commissioner approves as having been issued for such purposes. Debt service pursuant to the provisions of P.L. 1971, c. 10 (C. 18A:58-33.6 et seq,) and P.L. 1968, c. 177 (C. 18A:33.2 et seq.) is excluded.

"District equalized valuation per pupil" means the quotient resulting from dividing the total equalized valuations in the school district by the resident enrollment of the district; provided that in the determination of the equalized valuation per pupil of a county vocational school the total equalized valuations in the county shall be divided by the total resident enrollment

in all school districts of the county to obtain the county vocational school equalized valuation per pupil.

"Equalized valuations" means the equalized valuation of the taxing district or taxing districts as certified by the Director of the Division of Taxation on October 1 of the pre-budget year.

With respect to regional districts and their constituent districts, however, the equalized valuations as described above shall be allocated among the regional and constituent districts in proportion to the number of pupils in each of them.

"Evening school pupils" means the equated full-time resident enrollment of pupils enrolled in an accredited evening high school, an evening vocational high school, and in other evening schools except schools offering programs for self-improvement and social enrichment.

"Goals" means a written statement of educational aspirations for learner achievement and the educational process stated in general terms.

"Guaranteed valuation per pupil" means for the calculation of State support for the school year 1976-77, 1.3 times the State average valuation per pupil, and for all school years thereafter, 1.35 times the State average valuation per pupil, rounded to the nearest thousand dollars, for the year in which the calculation of aid is made except as modified by section 48 hereof.

"Joint Committee on the Public Schools" means the Committee created pursuant to P.L. 1975, c. 16 (C. 52:9R-1 et seq.).

"Local vocational pupils" means the full-time equivalent of pupils enrolled in approved categorical vocational programs in school districts designated as local area vocational school districts.

"Needs assessment" means a written analysis of the current status of an educational system in terms of achieving its goals.

"Net current expense budget" means the balance after deducting (1) State support for categorical programs pursuant to section 20 of this act, (2) the transportation amount in the current expense budget and (3) all other revenue in the current expense budget except the amount to be raised by local taxation, equalization State support, and State support for approved transportation.

"Net current expenses per pupil" means the quotient resulting from dividing the net current expense budget by the resident enrollment.

"Net debt service and budgeted capital outlay" means the balance after deducting all revenues from the school debt service and budgeted capital outlay budgets of the school district and the school debt service amount included in the municipal budget, except the amount to be raised by local taxation and State support.

"Objective" means a written statement of the intended outcome of a specific educational process.

"Pre-budget year" means the school year preceding the year in which the school budget will be implemented.

"Resident enrollment" means the number of pupils who are resident of the district and are enrolled in day or approved evening schools on the last school day of September of the pre-budget year and are attending the public schools of the district or a school district or State college demonstration school to which the district of residence pays tuition; provided that a district shall count pupils regularly attending both the schools of the district and of a county vocational school in the same county on an equated full-time basis.

"Standards" means the process and stated levels of proficiency used in determining the extent to which goals and objectives are being met.

"State average net current expense budget per pupil" means the quotient resulting from dividing the total net current expense budget of all districts in the State by the total resident enrollment in the State.

"State average valuation per pupil" means the quotient resulting from dividing the total equalized valuations in the State as certified by the Director of the Division of Taxation on October 1 by the total resident enrollment in the State. In the event that the equalized table certified by the Director of the Division of Taxation shall be revised by the Division of Tax Appeals on or before January 30 of the next succeeding year, such revised valuation shall be used in any recomputation of aid for an individual district filing such appeal but will have no effect upon the State average valuation per pupil.

"State compensatory education pupil" means a pupil who is enrolled in preventive and remedial programs, approved by the State board, supplemental to the regular programs and designed to assist pupils who have academic, social, economic or environmental needs that prevent them from succeeding in regular school programs.

"State support limit" means the sixty-fifth percentile net current expense budget per pupil for the prebudget year when all district figures are ranked from low to high. The State support limit shall be calculated and applied separately for (a) limited purpose regional districts offering grades 9 through 12, (b) limited purpose regional districts offering grades 7 through 12, provided, however, that the figure used for such districts shall be not less than 90% of the sixty-fifth percentile for limited purpose regional districts offering grades 9 through 12, (c) constituent districts of limited purpose regional districts offering grades 9 through 12, (d) constituent districts of limited purpose regional districts offering grades 7 through 12, provided, however, that the figure used for such districts shall be not less than 90% of the sixty-fifth percentile for constituent districts of limited purpose regional districts offering grades 9 through 12, and (e) all other districts.

Article II. Goals, Standards and Guidelines; Procedures of Evaluation; Enforcement

4. The goal of a thorough and efficient system of free public schools shall be to provide to all children in New Jersey, regardless of socio-economic status or geographic location, the educational opportunity which will prepare them to function politically, economically and socially in a democratic society.

5. A thorough and efficient system of free public schools shall include the following major elements, which shall serve as guidelines for the achievement of the legislative goal and the implementation of this act:

a. Establishment of educational goals at both the State and local levels;

b. Encouragement of *public* involvement in the establishment of educational goals;

c. Instruction intended to produce the attainment of reasonable levels of proficiency in the basic communications and computational skills;

d. A breadth of program offerings designed to develop the individual talents and abilities of pupils;

e. Programs and supportive services for all pupils especially those who are educationally disadvantaged or who have special educational needs;

f. Adequately equipped, sanitary and secure physical facilities and adequate materials and supplies;

g. Qualified instructional and other personnel;
h. Efficient administrative procedures;
i. An adequate State program of research and development; and
j. Evaluation and monitoring programs at both the State and local levels.

6. The State board, after consultation with the commissioner and review by the Joint Committee on the Public Schools shall (a) establish goals and standards which shall be applicable to all public schools in the State, and which shall be consistent with the goals and guidelines established pursuant to sections 4 and 5 of this act, and (b) make rules concerning procedures for the establishment of particular educational goals, objectives and standards by local boards of education.

7. Each *local board of education* shall establish particular educational goals, objectives and standards pursuant to rules prescribed by the State board.

8. The State board after consultation with the commissioner and review by the Joint Committee on the Public Schools shall, from time to time, but at least once every 5 years, review and update the State goals and standards established pursuant to this act. In reviewing and updating these goals and standards, the State board shall consult with, and be assisted by, (a) the Commissioner of Labor and Industry who, in consultation with employer and employee groups, shall report annually to the State board projecting labor needs and describing employment qualifications in New Jersey, (b) the Chancellor of Higher Education who, in consultation with the institutions of higher education in the State, shall report annually to the State board on entry requirements and anticipated enrollment levels, (c) the Commissioner of Health who shall report annually to the State board on the current and projected health needs in New Jersey, (d) the Commissioner of Institutions and Agencies who shall report annually to the State board on the education of pupils under the jurisdiction of the department, and (e) such other employees and officers of the State as may be able to assist the State board in its activities pursuant to this section.

9. The commissioner, in cooperation with local school districts, shall from time to time, but at least once every 5 years, direct *a comprehensive needs assessment program of all pupils in the State* in light of State goals and standards, and shall make the results of the needs assessment program available to local school districts, which districts shall review and update their particular educational goals, objectives and standards to meet those needs. *All such results shall be made public.*

10. For the purpose of evaluating the thoroughness and efficiency of all the public schools of the State, the commissioner, with the approval of the State board and after review by the Joint Committee on the Public Schools, shall develop and administer a uniform, *Statewide system for evaluating the performance of each school.* Such a system shall be based in part on annual testing for achievement in basic skill areas, and in part on such other means as the commissioner deems proper in order to (a) determine pupil status and needs, (b) ensure pupil progress, and (c) assess the degree to which the educational objectives have been achieved.

11. Each *school district shall make an annual report* of its progress in conforming to the goals, objectives and standards developed pursuant to this act. Each district's annual report shall include but not be limited to:

a. Demographic data related to each school;

b. Results of assessment programs, including Statewide and district testing conducted at each school;

c. Information on each school's fiscal operation, including the budget of each school;

d. Results of each school's effectiveness in achieving State, district and school goals and objectives applicable to the pupils;

e. Plans and programs for professional improvement;

f. Plans to carry out innovative or experimental educational programs designed to improve the quality of education; and

g. Recommendations for school improvements during the ensuing year.

h. Additionally, the State Board of Education may from time to time require each district to submit a facilities survey, including current use practices and projected capital project needs, but not more frequently than once every 2 years.

The district reports shall be submitted to the commissioner by July 1 of each year and he shall make them the basis for an annual report to the Governor and the Legislature, describing the condition of education in New Jersey, the efforts of New Jersey schools in meeting the standards of a thorough and efficient education, the steps underway to correct deficiencies in school performance, and the progress of New Jersey schools in comparison to other state education systems in the United States.

12. In addition to the annual reports required by section 11 of this act, the State board shall, 4 years after the effective date of this act, make a comprehensive report to the Governor and the Legislature assessing the effectiveness of this act in producing a thorough and efficient system of free public schools. The report shall include an account of the progress of each local school district in meeting the goals, objectives and standards prescribed under sections 6 and 7 of this act, identify those districts and schools which fail to meet them, and make recommendations, if necessary, for hastening the elimination of any deficiencies.

13. Thereafter, the Governor shall deliver a biennial message to the Legislature on the progress of New Jersey's schools in providing a thorough and efficient education and recommending legislative action, if appropriate.

14. The commissioner shall review the results of the evaluations conducted and reports submitted pursuant to sections 10 and 11 of this act. If the commissioner shall find that a school or a school district has failed to show sufficient progress toward the goals, guidelines, objectives and standards established in and pursuant to this act, he shall advise the local board of education of such determination, and shall direct that a remedial plan be prepared and submitted to him for approval. If the commissioner approves the plan, he shall assure its implementation in a timely and effective manner. If the commissioner finds that the remedial plan prepared by the local board of education is insufficient, he shall order the local board to show cause why the corrective actions provided in section 15 of this act should not be utilized. The hearing upon said order to show cause shall be conducted in the manner prescribed by subdivision B of article 2 of chapter 6 of Title 18A of the New Jersey Statutes.

15. If, after a plenary hearing, the commissioner determines that it is necessary to take corrective action, he shall have the power to order necessary budgetary changes within the school district, to order in-service training programs for teachers and other school personnel, or both. If he determines that such corrective actions are insufficient, he shall have the power to recommend to the State board that it take appropriate action. The State board, on determining that the school district is not providing a thorough and efficient education, notwithstanding any other provision of law to the contrary, shall have the power to issue an administrative order specifying a remedial plan to the local board of education, which plan may include budgetary changes or other measures the State board determines to be appropriate. Nothing herein shall limit the right of any party to appeal the administrative order to the Superior Court.

16. Should the local board of education fail or refuse to comply with an administrative order issued pursuant to section 15 of this act, the State board shall apply to the Superior Court by a proceeding in lieu of prerogative writ for an order directing the local school board to comply with such administrative order.

Article III. State School Aid

17. Annually, on or before October 5, the secretary of the board of education, with the approval of the superintendent of schools, or if there be no superintendent of schools, with the approval of the county superintendent of schools, shall file with the commissioner a report stating the number of pupils enrolled by grade and the number of these pupils in approved programs of (a) special education classes, (b) compensatory education, (c) bilingual education and (d) local vocational education on the last school day of September. In addition, districts shall file annual reports providing such information as the commissioner may require for pupils receiving special education services.

18. Equalization support for current expenses of all school districts shall be paid in accordance with the following calculations:

a. Divide the district equalized valuation per pupil by the guaranteed valuation per pupil and subtract the quotient from 1.0000 to obtain the district's State support ratio.

b. Multiply the district's State support ratio by the smaller of (1) the net current expense budget for the prebudget year or (2) the product of the resident enrollment and the State support limit. The amount obtained is the current expense equalization support.

c. Notwithstanding any other provision of this section, no district shall receive less in current expense equalization support than 10% of the State support limit.

19. State support for debt service and budgeted capital outlay shall equal the total of the net debt service and budgeted capital outlay budgets for the pre-budget year multiplied by the district's current expense State support ratio obtained in section 18 of this act. If the product is less than zero, no support shall be paid. Budgeted capital outlay used for the calculation of State support shall be the smaller of (1) the budgeted capital outlay for the pre-budget year, or (2) 1-1/2% of the sum of the current expense and budgeted capital outlay for the pre-budget year.

20. In addition to the equalization support authorized in section 18 of this act, categorical program support for 1975-76 and 1976-77 shall be paid in accordance with the following calculations:

a. The number of categorical aid units shall be determined by adding the products obtained by multiplying the pupils in each category by the following additional cost factors:

Categorical Programs

Special Education Classes	Additional Cost Factors
Educable	0.53
Trainable	0.95
Orthopedically handicapped	1.27
Neurologically impaired	1.06
Perceptually impaired	0.85
Visually handicapped	1.91
Auditorially handicapped	1.38
Communication handicapped	1.06
Emotionally disturbed	1.27
Socially maladjusted	0.95
Chronically ill	0.85
Multiply handicapped	1.27

Other Classes and Services	Additional Cost Factors
Approved private school tuition	1.0 plus the additional cost factor of the handicap
Supplementary and speech instruction	0.09 based on the number of pupils actually receiving such instruction in the prior school year
Bilingual education	0.16
State compensatory education	0.11
Approved local vocational education	0.53

b. The number of categorical aid units for home instruction shall be determined by multiplying the number of hours of instruction actually provided in the prior school year by 0.006.

c. For the purposes of this section, aid shall be paid to districts in which the pupils reside except in the case of home, supplementary or speech instruction where aid shall be paid to the district providing the service. No tuition may be charged for such home, supplementary or speech instruction for costs covered by State support as provided in this section.

d. Categorical program support shall equal the number of units of additional cost multiplied by the State average net current expense budget per pupil for the prebudget year.

21. On or before April 1, 1977, and on or before April 1 of each subsequent year, the Governor, after consultation with the Department of

Education, shall recommend to the Legislature any revision in the schedule of additional cost factors which is deemed proper, together with appropriate supporting information, and such revised additional cost factors shall be deemed approved for the fiscal year beginning 1 year from the subsequent July 1 at the end of 60 calendar days after the date on which they are transmitted to the Senate and General Assembly, or if the Legislature is not in session on the sixtieth day, then on the next succeeding day on which it shall be meeting in the course of a regular or special session, unless between the date of transmittal and the end of the above period, the Legislature passes a concurrent resolution stating that the Legislature does not favor the revised schedule of additional cost factors, in which case the additional cost factors then in effect shall continue in effect.

22. There is hereby established a compensatory education research and development fund. For the 1976-77 fiscal year and annually thereafter, there shall be appropriated to the fund an amount equal to 3% of the amount calculated for State aid for compensatory education pursuant to section 20 of this act. The fund shall be used to support pilot and demonstration projects which are designed to improve the education of compensatory education pupils.

23. The commissioner is authorized to make grants to school districts for the establishment of pilot and demonstration projects for compensatory education pupils, to provide for the establishment of appropriate evaluation procedures, and take any other action necessary to insure the implementation of such projects.

24. State support for county vocational school districts shall be paid in accordance with the following calculations:

a. Divide the county equalized valuations per pupil by the guaranteed valuation per pupil and subtract the quotient from 1.0000 to obtain the county vocational school's State support ratio.

b. Multiply the State support ratio by the smaller of (1) the net current expense budget for the prebudget year or (2) the product of the resident enrollment multiplied by 175% of the Statewide sixty-fifth percentile net current budget per pupil for the prebudget year when all district figures are ranked from low to high. The amount obtained is the current expense equalization support. If the State support ratio is zero or less than zero, no support shall be paid.

c. Debt service and budgeted capital outlay support for county vocational schools shall be calculated in accordance with section 19 of this act.

25. A district which has a net current expense budget per pupil in the prebudget year of less than the State average net current expense budget per pupil may increase its net current expense budget per pupil in the following year by no more than an amount found by multiplying three-fourths of the latest annual percentage increase in the total State equalized valuation by the State average net current expense budget per pupil for the prebudget year, and multiplying the product by the quotient resulting from dividing the State average net current expense budget per pupil by the school district net current expense budget per pupil for the prebudget year; provided, however, that in no event shall the figure used for the latest annual percentage increase in the total State equalized valuation be less than the average of such percentage increases for the latest 3 years. Any other district may increase its net current

expense budget per pupil by no more than an amount found by multiplying three-fourths of the latest annual percentage increase in the total State equalized valuation by the school district's net current expense budget per pupil for the prebudget year, and multiplying the product by the quotient resulting from dividing the State average net current expense budget per pupil by the school district net current expense budget per pupil for the prebudget year. For the purpose of these calculations, the enrollment of a district shall be assumed to remain constant between the prebudget year and the year during which the budget will be implemented.

Annually, on or before November 15, the commissioner shall certify to each local board of education the amount by which the school district may increase its budget for the next year without exceeding the permissible rate of increase.

The commissioner may approve the request of a local board of education for a greater increase, having judged that (1) a reallocation of resources or any other action taken within the permissible level of spending would be insufficient to meet the goals, objectives and standards established pursuant to this act, or (2) an increased enrollment may reasonably be anticipated in the district.

26. The amounts payable to each school district pursuant to this act shall be paid by the State Treasurer upon the certification of the commissioner and warrant of the Director of Budget and Accounting. Ten percent of the appropriation for current expense equalization and categorical program support shall be paid on the first of each month from September through June. If a local board of education requires funds prior to the first payment, the board shall file a written request with the Commissioner of Education stating the need for such funds. The commissioner shall review each request and forward those for which need has been demonstrated to the appropriate officials for payment.

Debt service funds shall be paid as required to meet due dates for payment of principal and interest, and budgeted capital outlay funds shall be paid as requested by the local district.

Each school district shall file an annual written request for debt service and budgeted capital outlay payments to the commissioner 30 days prior to the beginning of the fiscal year for which the appropriation is made. Such request shall include the amount of interest bearing school debt, if any, of the municipality or district then remaining unpaid, together with the rate of interest payable thereon, the date or dates on which the bonds or other evidences of indebtedness were issued, and the date or dates upon which they fall due. In the case of Type I school districts, the board secretary shall secure such schedule of outstanding obligations from the clerk of the municipality.

27. On or before November 1 of each year, the commissioner shall determine the amount necessary to be appropriated by the State to carry out the provisions of this act for the succeeding school year and shall determine for local budget purposes the amounts payable to each of the counties and districts under this act for such succeeding year.

28. Annually, on or before December 1, local boards of education shall submit to the commissioner a copy of their proposed budgets for the next school year. The commissioner shall review each item of appropriation within the current expense and budgeted capital outlay budgets and shall determine the adequacy of the budgets with regard to the annual reports submitted pursuant to section 11 of this act.

29. N.J.S. 18A:13-23 is amended to read as follows:

18A:18-23. The annual or special appropriations for regional districts, including the amounts to be raised for interest upon, and the redemption of, bonds payable by the district, shall be apportioned among the municipalities included within the regional district upon the basis of the portion of each municipality's equalized valuation allocated to the regional district, calculated as described in the definition of equalized valuation in section 3 of this 1974 amendatory and supplementary act.

30. N.J.S. 18A:13-24 is amended to read as follows:

18A:13-24. The amounts to be raised for annual or special appropriations and for interest upon, and the redemption of, bonds for regional districts shall be certified by the regional board of education to, and shall be apportioned among the municipalities included within the regional district as follows:

a. When the regional district is located wholly within one county, said amounts shall be certified to the county board of taxation of the county and shall be apportioned by it among such municipalities in the manner, and upon the basis, prescribed in this article; or

b. When the regional district is located in more than one county, said amount shall be certified to the county board of taxation of the county in which the largest number of regional district pupils are resident, and said amounts shall be apportioned by said county board of taxation, among such municipalities in the manner, and upon the basis, prescribed in this article.

The share of the amount to be raised by taxation in each municipality included in a regional district shall be certified to the appropriate county board of taxation by the Commissioner of Education.

The amounts apportioned to each such included municipality shall be assessed, levied and collected in the same manner and at the same time as other school taxes are assessed, levied and collected therein and shall be paid upon requisition as in other Type II school districts.

31. N.J.S. 18A:23-2 is amended to read as follows:

18A:23-2. Each annual audit shall include an audit of the books, accounts and moneys, and a verification of all cash and bank balances, of the board and of any officer or employee thereof and of moneys derived from athletic events or the activities of any organization of public school pupils conducted under the auspices of the board, from the date of the annual audit to the date of the audit in question. Such audit shall also include a determination of the extent to which the school board has used contracts entered into by the State Division of Purchase and Property pursuant to P.L. 1969, c. 104 (C. 52:25-16.1 et seq.) in the purchase of materials, supplies or equipment for the school district.

32. N.J.S. 18A:23-3 is amended to read as follows:

18A:23-3. The report of each annual audit shall be filed, by the public school accountant making the same, with his recommendations with the board of education of the district, and such accountant shall within 5 days thereafter file two duplicate copies thereof certified under his signature in the office of the commissioner. The commissioner annually shall publish a summary of such recommendations as made for each school district and the steps which have been taken in each district for their implementation.

33. N.J.S. 18A:39-15 is amended to read as follows:

18A:39-15. If the county superintendent of the county in which the districts are situated shall approve the necessity, the cost, and the method of providing such joint transportation and the agreement whereby the same is to be provided, each such board of education providing joint transportation shall be entitled to State aid in an amount equal to 100% of its proportionate share of the cost of such transportation pursuant to the terms of such agreement.

34. N.J.S. 18A:46-23 is amended to read as follows:

18A:46-23. The board of education shall furnish daily transportation within the State to all children found under this chapter to be handicapped who shall qualify therefor pursuant to law and it shall furnish such transportation for a lesser distance also to any handicapped child, if it finds upon the advice of the examiner, his handicap to be such as to make such transportation necessary or advisable.

The school district shall be entitled to State aid for such daily transportation in the amount of 100% of the cost to the district of furnishing such transportation to a program approved under this chapter in New Jersey when the necessity for such transportation and the cost and method thereof have been approved by the county superintendent of the county in which the district paying the cost of such transportation is situated.

35. N.J.S. 18A:58-7 is amended to read as follows:

18A:58-7. Each district shall also be paid 100% of the cost of the district of transportation of pupils to a school when the necessity for such transportation and the cost and method thereof have been approved by the county superintendent of the county in which the district paying the cost of such transportation is situated. Such aid shall be paid for elementary pupils who live beyond 2 miles from their school of attendance and secondary pupils who live beyond 2½ miles from their school of attendance.

36. N.J.S. 18A:58-25 is amended to read as follows:

18A:58-25. The State Treasurer shall maintain a school building aid capital reserve fund for each school district having funds on deposit as of the effective date of this act.

The Director of the Division of Investment shall invest and reinvest such capital reserve funds in the same manner and subject to the same requirements as are prescribed for the investment of State funds generally. Income received upon the investment of the capital reserve funds shall be credited pro rata to the capital reserve funds of the respective school districts, semiannually on November 1 and May 1.

In the event that a school district or municipality anticipates that it will be unable to meet the payment of principal or interest of any bonds hereafter issued for school purposes, it shall certify such inability to the Commissioner of Education and the Director of the Division of Local Government Services at least 10 days prior to the date such payment is due. The State Treasurer, upon certification of such inability by said commissioner and director or, in the event any such district or municipality fails to certify its anticipated inability to meet any such payments, upon notice and verification of such inability, shall withhold from the sums then or thereafter available to said district as State building aid a sum sufficient to pay the principal of and interest on such bonds. The State Treasurer shall pay ratably to the claimant holders of such bonds, or their agent, first the interest and then the principal

due and owing to them by the school district or municipality, as the case may be, up to the amount of the building aid allowance then or thereafter available to such district or municipality.

37. N.J.S. 18A:58-26 is amended to read as follows:

18A:58-26. A school district may on November 1 or May 1 in any school year draw against its capital reserve fund, up to the amount of the balance therein, to the extent that such withdrawal is anticipated as a revenue in the school budget for the then current school year or it may be applied to a capital purpose authorized by ordinance or by vote of the electors of the school district. Such withdrawal shall be paid by the State Treasurer to the board of education upon application duly made to the commissioner and upon his certification and the warrant of the Director of the Division of Budget and Accounting.

38. R.S. 54:4-49 is amended to read as follows:

54:4-49. (a) Except as to any State tax at a fixed rate provided for in sections 54:4-50 and 54:4-51 of this Title, each county board of taxation, after having received the tax lists and duplicates of the assessors and having revised and corrected the same and having equalized the aggregate valuations of all the real property in the respective taxing districts, as required by R.S. 54:3-17 to 54:3-19, shall, after making adjustments for the debits and credits hereinafter mentioned, apportion the amount to be raised in the respective taxing districts for State, State school, county and free county library purposes and for purposes of consolidated school districts and school districts comprising two or more taxing districts, on the basis of the total valuation so ascertained for each taxing district. The total valuation for each taxing district, so ascertained, shall be known as the "apportionment valuation."

(b) The amount to be apportioned among the respective taxing districts shall be the amount to be raised for the purposes specified in subsection (a), plus or minus the difference between the total debits and total credits of the taxing districts affected, determined as provided in subsection (c). The net amounts respectively to be raised, after making allowance to the affected districts for the debits and credits, shall be equivalent to the amount required for each of the purposes specified in subsection (a).

(c) The net debit or credit of each taxing district shall be the amount by which the taxing district has overpaid or underpaid its share of the specific tax or taxes for the purposes specified in subsection (a) for the preceding year or years because of increases or decreases in the amount of assessments of the district subsequent to the apportionment in the preceding year or years by reason of final judgments on appeals, complaints and applications, the correction of clerical errors under R.S. 54:4-53 and the allowance of additional veterans' exemptions or deductions during the prior tax year by the collector pursuant to law. When an assessment has been reduced or added to, or increased, on appeal, complaint or other application, and the judgment on that appeal, complaint or other application has been further appealed, no deduction or increase as herein provided for shall be made with respect to the appealed assessment until the further appeal has been finally determined.

(d) So that there shall be uniformity of application and treatment under this section in all of the counties, the Director, Division of Taxation, shall issue regulations for the guidance of the county boards of taxation in the determination of the apportionment valuations, the amounts to be apportioned and the amounts of the debits and credits.

39. N.J.S. 18A:46-9 is amended to read as follows:

18A:46-9. Each child classified pursuant to section 18A:46-8 as mentally retarded shall be similarly further identified, examined and classified into one of the following subcategories:

a. Educable mentally retarded children, who are those who may be expected to succeed with a minimum of supervision in homes and schools and community life and are characterized particularly by reasonable expectation that at maturity they will be capable of vocational and social independence in competitive environment;

b. Trainable mentally retarded children, who are so retarded that they cannot be classified as educable but are, notwithstanding, potentially capable of self-help, of communicating satisfactorily, or participating in groups, of directing their behavior so as not to be dangerous to themselves or others and of achieving with training some degree of personal independence and social and economic usefulness within sheltered environments;

c. Children eligible for day training, who are those so severely mentally retarded as to be incapable of giving evidence of understanding and responding in a positive manner to simple directions expressed in the child's primary mode of communication and who cannot in some manner express basic wants and needs.

40. N.J.S. 18A:46-13 is amended to read as follows:

18A:46-13. It shall be the duty of each board of education to provide suitable facilities and programs of education for all the children who are classified as handicapped under this chapter except those so mentally retarded as to be eligible for day training pursuant to N.J.S. 18A:46-9. The absence or unavailability of a special class facility in any district shall not be construed as relieving a board of education of the responsibility for providing education for any child who qualifies under this chapter.

A board of education is not required to provide any further educational program for children who have been admitted to the Marie H. Katzenbach School for the Deaf but shall be required to furnish necessary daily transportation Monday through Friday to and from the school for nonboarding pupils when such transportation is approved by the county superintendent of schools in accordance with such rules and regulations as the State board shall promulgate for such transportation. Any special education facility or program authorized and provided for a child attaining age 20 during a school year shall be continued for the remainder of that school year.

41. N.J.S. 18A:46-17 is amended to read as follows:

18A:46-17. The superintendent of schools, or the principal of a school in a district where there is no superintendent, may, upon the advice of the psychological examiner or examiners administering classification procedures required by this chapter, refuse to admit, or, having admitted, exclude, any child whose mental retardation is so severe that he has been diagnosed and classified as eligible for day training under this chapter.

Any child so refused admission or excluded shall be reexamined, upon the request of the parent or other person having custody and control of the child, after a period of 1 year shall have elapsed from the date of the last previous examination.

42. N.J.S. 18A:46-18 is amended to read as follows:

18A:46-18. The superintendent of schools or the principal of each school, as the case may be, shall forthwith report to the secretary of the board of education of the district the names of all children who have been refused admission or have been excluded under this chapter, and the names and addresses of their parents or persons having custody and control of them. Such refusal of admission or exclusion shall continue unless and until set aside by action of the board of education or lifted as a result of a reexamination. The superintendent or principal, as the case may be, shall report the names of any other mentally retarded children in the district known to him who are not in a private school or in a residential institution and who are considered to be eligible for day training.

The secretary of the board of education, after the meeting of the board next following the meeting at which the names of the children not admitted or excluded are reported, shall report the names and addresses to the county superintendent of schools of the county in which the district is situated. The county superintendent shall furnish a list of such names and addresses to the commissioner, who shall, in turn, transmit copies of all such lists to the Commissioner of Institutions and Agencies. Such list shall not be made public, but shall be open to the inspection of such public and private agencies, only, as have a legitimate interest in it and then only to the extent so necessary.

43. (New section) It shall be the duty of the State board in concert with the Department of Institutions and Agencies to provide suitable facilities and programs for all the children who are classified as eligible for day training.

44. N.J.S. 18A:4-24 is amended to read as follows:

18A:4-24. The commissioner shall pursuant to rules and regulations of the State board, inquire into and ascertain the thoroughness and efficiency of operation of any of the schools of the public school system of the State and of any grades therein by such means as to him seem proper, and he shall report to the State board the results of such inquiries and such other information with regard thereto as the State board may require or as he shall deem proper, but nothing in this section shall affect the right of each district to prescribe its own rules for promotion.

45. N.J.S. 18A:58-11 is amended to read as follows:

18A:58-11. There shall be appropriated annually the sum of $500,000.00 to be distributed by the commissioner, upon the approval of the State board, to meet unforeseeable conditions, including substantial increases in enrollments, in any school district. The amount of such emergency aid shall be payable by the State Treasurer upon the certificate of the commissioner and the warrant of the Director of the Division of Budget and Accounting.

46. (New section) Nothing in this act shall be construed to deny the State board, commissioner or local boards of education powers granted to them elsewhere in Title 18A of the New Jersey Statutes, except as expressly provided herein.

47. (New section) The State Board of Education shall promulgate rules and adopt policies, subject to the "Administrative Procedure Act," P.L. 1968, c. 410 (C. 52:14B-1 et seq.), make all determinations and exercise such powers of visitation as are necessary for the proper administration of this act.

48. Beginning in 1976, the Joint Committee on the Public Schools, by October 15 of each year, shall recommend to the Legislature for enactment any changes in the method or basis of financial support which appear desirable from the experience under this act. The committee, at the same time shall also recommend whether the level of State support provided by this act should be retained or increased in the direction of equal State-local sharing of costs. The committee shall consider and recommend to the Legislature for enactment such other steps as may be appropriate.

49. There is hereby established a Task Force on Business Efficiency of the Public Schools, to consist of eight members, four of whom shall be members of the Joint Committee on the Public Schools to be appointed by the chairman, and four of whom shall be other persons to be appointed by the Governor. All members shall serve without compensation and vacancies in the membership of the task force shall be filled in the same manner as the original appointments are made.

50. Within 6 months of the effective date of this act, the task force shall report to the Legislature and the Governor its recommendations for improving the business efficiency of local school districts. The task force shall be discharged upon submission of its report.

51. The task force shall be entitled to call to its assistance and avail itself of the services of such employees of any State, county or municipal department, board, bureau, commission or agency as it may require and as may be available to it for said purpose, and to employ such professional, stenographic and clerical assistants and incur such traveling and other miscellaneous expenses as it may deem necessary, in order to perform its duties, and as may be within the limits of funds appropriated or otherwise made available to it for said purposes.

52. There is hereby appropriated from the General State Fund for the purposes of the task force the sum of $20,000.00.

53. (New section) If any clause, sentence, subdivision, paragraph, subsection or section of this act is held to be unconstitutional or invalid, such judgment shall not affect, impair or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, subsection or section thereof directly involved in the controversy in which said judgment shall have been rendered.

54. All acts and parts of acts inconsistent with this act are repealed, and without limiting the general effect of this act in repealing acts so inconsistent herewith, the following acts and parts of acts together with all amendments and supplements thereto are specifically repealed:

N.J.S. 18A:13-22
N.J.S. 18A:13-25
N.J.S. 18A:38-2.1
N.J.S. 18A:58-1 to 18A:58-5.4, inclusive
P.L. 1968, c. 340 (C. 18A:58-5.5)
P.L. 1973, c. 224 (C. 18A:58-5.6)
P.L. 1970, c. 234 § 9 (C. 18A:58-6.3)
N.J.S. 18A:58-8
N.J.S. 18A:58-10
N.J.S. 18A:58-13
P.L. 1970, c. 234, § 15 (C. 18A:58-18.1)
N.J.S. 18A:58-20 to 18A:58-24, inclusive
N.J.S. 18A:58-27
P.L. 1968, c. 289, § 1 (C. 18A:58-27.1)
N.J.S. 18A:58-29
N.J.S. 18A:58-30 to 18A:58-31, inclusive
N.J.S. 18A:58-33 to 18A:58-33.1, inclusive

55. (New section) For the school year 1976-77, no district shall receive less in State aid in the aggregate for equalization support, categorical program support, debt service and budgeted capital outlay support and transportation support pursuant to this act than the aggregate amount of State aid received during the 1974-75 school year pursuant to N.J.S. 18A:58-5, 18A:58-6, P.L. 1970, c. 234, s. 9 (C.18A:58-6.3), N.J.S. 18A:58-7, 18A:58-8, 18A:58-10 and 18A:58-30.

56. (New section) For the school year 1977-78, any district receiving less in State aid in the aggregate for equalization support, categorical program support, debt service and budgeted capital outlay support and transportation support pursuant to this act than the aggregate amount of State aid received during the 1974-75 school year pursuant to N.J.S. 18A:58-5, 18A:58-6, P.L. 1970, C. 234, s. 9 (C.18A:58-6.3), N.J.S. 18A:58-7, 18A:58-8, 18A:58-10 and 18A:58-30 shall be entitled to the amount calculated under this act for such support plus one-half of the difference between that amount and the amount received during the 1974-75 school year pursuant to the above sections.

57. Articles I and II and sections 44 and 46 through 54 of Article III of this act shall take effect July 1, 1975. The remaining sections of this act shall take effect July 1, 1976; provided that preparatory steps hereunder shall be taken as directed by the commissioner including, but not limited to, the submission of pupil enrollments and budgets of school districts.

12 times 12 are 144.

So I bid you good bye, and shut the door.

NEW RULES NEW JERSEY ADMINISTRATIVE CODE

Title 6
Education
Subtitle B.
Commissioner of Education
Chapter 8
Through the Efficient System of Free Public Schools

FOREWORD

The following rules and regulations define the standards and procedures of evaluation, classification and enforcement of a thorough and efficient system of free public schools in accordance with the New Jersey Constitution. These rules and regulations shall be reviewed and modified as appropriate at least once every five years.

The goal of a thorough and efficient system of free public schools shall be to provide all children in New Jersey, regardless of socio-economic status or geographic location, the educational opportunity which will prepare them to function politically, economically and socially in a democratic society.

This system of free public schools shall operate under the State Board of Education and district boards of education pursuant to law and regulation.

Authority

Title 18A of New Jersey Statutes Annotated as supplemented and amended by Chapter 212, Laws of 1975.

Subchapter 1. Definitions

6:8-1.1 Words and phrases defined

The following words and terms, when used in this chapter, shall have the following meanings unless the context clearly indicates otherwise.

"Administrative order" means a written directive ordering specific corrective action by a district which has shown insufficient educational progress within a reasonable period of time in meeting goals and standards.

"Approved" means the official classification by the state department of education certifying that the school and district complies with prescribed standards, pursuant to law and regulation.

"Articulation" means continuity, consistency and interdependence in the curricular offerings of the successive divisions of the school system.

"Assessment" means a written analysis of the current status of an educational system in terms of achieving its goals and objectives.

"Classification" means a process through which districts and schools are designated as approved, conditionally approved or unapproved, pursuant to law and regulation.

"Conditionally approved" means that a school or district with specific deficiencies is granted a prescribed period of time in which to plan and implement remediation, pursuant to law and regulation.

"Educational plan" means a comprehensive procedure which enables participants working together to define and set goals, to appraise progress through assessment, to analyze problems, to plan for and to implement a program for improvement and to evaluate progress toward achieving goals, objectives and standards.

"Evaluation" means procedures used to determine the value and success of programs, projects, techniques and materials in relation to the achievement of goals, objectives and standards, i.e. the act of making judgments based upon the data gathered.

"Goals" means a written statement of educational aspirations for learner achievement and the educational process stated in general terms.

"Objective" means a written statement of the intended outcome of a specific educational process.

"Standards" means the procedures and stated levels of proficiency used in determining the extent to which goals and objectives are being met.

"Teaching staff members" means all teachers, principals, assistant principals, vice principals, superintendents, assistant superintendents, school nurses and such other employees as are in positions which require them to hold appropriate certificates issued by the board of examiners, serving in any school district or under any board of education.

"Unapproved" means that a school or district has failed to show sufficient progress in implementing goals, objectives and standards, pursuant to law and regulation.

Subchapter 2. State Educational Goals and Standards

6:8-2.1 State educational goals

(a) The state educational goals shall be the following outcome and process goals and shall be applicable to all public school districts and schools in the state.

(b) Educational outcome goals: The public schools in New Jersey shall help every pupil in the state:

1. To acquire basic skills in obtaining information, solving problems, thinking critically and communicating effectively.
2. To acquire a stock of basic information concerning the principles of the physical, biological and social sciences, the historical record of human achievements and failures and current social issues.
3. To become an effective and responsible contributor to the decision-making processes of the political and other institutions of the community, state, country and world.
4. To acquire the knowledge, skills and understanding that permit him/her to play a satisfying and responsible role as both producer and consumer.
5. To acquire job entry level skills and, also, to acquire knowledge necessary for further education.
6. To acquire the understanding of and the ability to form responsible relations with a wide range of other people, including but not limited to those with social and cultural characteristics different from his/her own.
7. To acquire the capacities for playing satisfying and responsible roles in family life.

8. To acquire the knowledge, habits and attitudes that promote personal and public health, both physical and mental.
9. To acquire the ability and the desire to express himself/herself creatively in one or more of the arts, and to appreciate the aesthetic expressions of other people.
10. To acquire an understanding of ethical principles and values and the ability to apply them to his/her own life.
11. To develop an understanding of his/her own worth, abilities, potentialities and limitations.
12. To learn to enjoy the process of learning and to acquire the skills necessary for a lifetime of continuous learning and adaptation to change.

(c) Educational process goals: The public schools in New Jersey shall provide:
1. Instruction which bears a meaningful relationship to the present and future needs and/or interests of pupils.
2. Significant opportunities, consistent with the age of the pupil, for helping to determine the nature of the educational experiences of the pupil.
3. Specialized and individualized kinds of educational experiences to meet the needs of each pupil.
4. Opportunities for teaching staff members and pupils to make recommendations concerning the operation of the schools.
5. Comprehensive guidance facilities and services for each pupil.
6. An environment in which any competition among pupils is positive.
7. Resources for education, used with maximum efficiency.
8. Teaching staff members of high quality.
9. Diverse forms of constructive cooperation with parents and community groups.

6:8-2.2 State educational standards

(a) The state educational standards shall be those procedures set forth in N.J.A.C. 6:8-3 and 4, which shall be used for the implementation of a thorough and efficient system of free public schools in accordance with the New Jersey Constitution.

6:8-2.3 Review of state educational goals and standards

(a) The State Board of Education, after consultation with the commissioner and review by the Joint Committee on the Public Schools, shall, from time to time but at least once every five years, review and update the state goals and standards.

Subchapter 3. Standards and Proceedures for Establishing Educational Plans

6:8-3.1 Educational plan requirements

(a) Each district board of education in consultation with the chief school administrator and teaching staff members, as defined in these regulations, shall develop a written educational plan for the district and each school within the district, pursuant to law and this subchapter.

(b) Such plan shall be adopted and implemented annually by the district board of education.

(c) Such plan shall include a proposed time schedule for the implementation of each of the components set forth in this subchapter, and shall identify, on a five-year cycle, both long- and short-range objectives.

(d) Such plan shall include standards established by the district board of education for assessing and evaluating the achievement of its long- and short-range objectives.

(e) The educational plan shall include, but not be limited to, the component set forth in this subchapter.

6:8-3.2 District and school educational goals

(a) Written educational goals, based on district educational needs and consistent with the intent of state educational goals, shall be developed and shall serve as the basis for the educational program (curriculum) for each school. Goals shall be developed in consultation with teaching staff members, pupils, parents or guardians of pupils and other district residents, under the direction of the chief school administrator.

(b) The district board of education shall give public notice of the proposed goals or revisions thereof and shall provide opportunity for comment at a public meeting.

(c) District and school educational goals shall be reviewed and updated at least once every five years according to the procedures set forth in N.J.A.C.6:8-3.2.

6:8-3.3 District and school educational objectives and standards

(a) Written educational objectives and standards for the educational program (curriculum), based upon district and school goals, shall be developed in consultation with teaching staff members under the direction of the chief school administrator.

6:8-3.4 Assessment

(a) Assessment of pupil needs

Pupil needs shall be assessed by teaching staff members to determine pupil attainment of educational objectives. Procedures for such assessment shall include but not be limited to teacher observation, parental or guardian interview, formal and informal evaluation techniques, cumulative pupil records, local and state testing results and medical examination. Pupil identification required by N.J.A.C. 6:8-3.8 (pupil minimum proficiency levels) shall be determined as part of this assessment of pupil needs.

(b) Assessment of district and school needs

District and school needs shall be assessed in order to determine the status of attainment of long- and short-range objectives.

(a) The educational program (curriculum) for each district and school shall be developed in consultation with the teaching staff members, under the direction of the chief school administrator, shall be adopted annually by each district board of education and shall:

1. Be consistent with written goals, objectives and identified pupil needs;
2. Develop individual talents and interests and serve diverse learning styles to motivate pupil achivement;
3. Provide for continuous learning through an effective articulation between and among the districts and schools;
4. Provide all pupils continuous access to sufficient programs and services of a library/media facility, classroom collection, or both, to support the educational program (curriculum);
5. Provide all pupils guidance and counseling to assist in career and academic planning;

6. Provide a continuum of educational programs and services for all handicapped children, pursuant to law and regulation;
7. Provide billingual programs for pupils whose dominant language is not English, pursuant to law and regulation;
8. Provide compensatory education programs for pupils, pursuant to law and regulation;
9. Provide all pupils equal educational opportunity, pursuant to law and regulation;
10. Provide career awareness and vocational education, pursuant to law and regulation;
and
11. Provide educational opportunities for exceptionally gifted and talented pupils.

6:8-3.6 Instruction

(a) Instruction shall be provided by teaching staff members in order to achieve goals, objectives and standards. Implementation shall include but not be limited to:

1. A school environment designed to foster positive feelings by pupils toward self and others.
2. Creative use of various instructional methods, materials and equipment.
3. Opportunities for pupils to participate in the study of individual, school and community problems.
4. Active involvement of pupils in directed and self-selected activities.
5. School and classroom organization and pupil assignment based upon individual pupil needs.
6. Effective use of personnel, resources and facilities of the school and community.
7. An emphasis on the interdisciplinary nature of knowledge and the interrelatedness of learning.

6:8-3.7 Evaluation of pupil progress

(a) Evaluation procedures shall be developed and implemented to provide for the continuous and comprehensive review of pupil progress toward district and school goals and program objectives. The evaluation shall be conducted by teaching staff members under the direction of the chief school administrator and should include consultation with parents or guardians and pupils. District evaluation results shall be reported annually by the chief school administrator to the district board of education at a public meeting.

6:8-3.8 Pupil minimum proficiency levels and remedial programs

(a) The district board of education, after consultation with the chief school administrator and teaching staff members, shall establish reasonable pupil minimum proficiency levels in the basic communication and computational skills.

(b) Each pupil shall be assessed, upon entrance into the educational system and annually thereafter, to identify pupils not meeting minimum proficiency levels. Such assessment shall be part of the total assessment procedure set forth in N.J.A.C. 6:8-3.4.

(c) Remedial programs shall be established to assist pupils performing below the established minimum levels of pupil proficiency in the basic areas of communication and computational skills. These programs shall include:

1. Instruction and services to meet pupil needs.
2. On-going communication between teaching staff members and parents or guardians of pupils participating in remedial educational programs.
3. Evaluation procedures which measure pupil achievement related to remedial educational program objectives and standards.
4. Evaluation of the effectiveness of remedial educational programs.

(d) As part of the annual district and school classification procedure, the state department of education shall monitor the district board of education's pupil minimum proficiency levels and the rate of pupil growth in achievement with particular attention to services and remedial educational programs for the basic communication and computational skills.

(e) The department of education shall conduct studies and evaluate findings biennially after the effective date of this chapter in order to report the status of progress toward the attainment of pupil minimum proficiency levels established by the district board of education.

Subchapter 4. Policies and procedures to assist in implementing the educational plan

6:8-4.1 Reporting of pupil progress

(a) The district board of education, after consultation with the teaching staff members, under the direction of the chief school administrator, shall develop a policy for reporting pupil progress to parents or guardians. Consideration should be given to the use of a variety of procedures such as parent-teacher conferences, report cards, pupil progress charts and other formal and informal methods.

6:8-4.2 Promotion and graduation

(a) The district board of education shall adopt policies and procedures for:

1. Pupil promotion, related to district goals, objectives and pupil proficiency; and
2. High school graduation, pursuant to law and regulation, which shall be reasonably related to the achievement of district goals, objectives and pupil proficiency with particular reference to basic communication and computational skills.

6:8-4.3 Staffing

(a) Teaching staff members shall be employed by the district board of education based upon the specific instructional needs of pupils of the district and each school within the district. The district board of education shall provide certified personnel needed to implement a thorough and efficient system of free public schools, which may include but not be limited to the following: adult, continuing and community education teachers, art teachers, educational supervisors, foreign language teachers, health teachers, instructional media specialists (librarians), instrumental and vocal music teachers, nurses, physical education teachers, reading specialists, school counselors, speech correctionists, teachers of handicapped and vocational educational specialists.

(b) Certification

The district shall employ for its teaching staff members only persons certified under the rules and regulations of the State Board of Education.

(c) Principal

1. Each school shall be assigned the services of a fulltime non-teaching principal to be responsible for administration and supervision of the school.
2. A district board of education, upon advice of the chief school administrator, may request from the commissioner an exception to the provision of N.J.A.C. 6:8-4.3 (c) 1.
3. Assistants to principals and to principals assigned as chief school administrators shall be provided where necessary because of school enrollment, educational program and/or complexity of operation.

(d) Child study team

All district boards of education shall provide the services of child study team personnel (school psychologists, school social workers and learning disabilities teacher-consultants), in numbers sufficient to insure implementation of pertinent law and regulation.

(e) Substitute teachers

All district boards of education shall maintain a list of available, certified substitute teachers, pursuant to regulation. Substitute teachers shall be provided orientation and training to meet pupil needs within the school district.

(f) Supportive services

Sufficient supportive services shall be provided, including but not limited to secretarial and clerical, janitorial, buildings and grounds maintenance, cafeteria and pupil transportation.

(g) Aides

Aides may be employed, and shall be approved and assigned, pursuant to law and regulation.

6:8-4.4 Staff in-service programs

(a) Staff in-service improvement programs developed in consultation with the chief school administrator and teaching staff members shall be planned as needed to meet the priorities identified by the district or school.

6:8-4.5 Instructional materials and equipment

(a) The district board of education shall provide instructional and evaluation materials including textbooks, references, library print and non-print materials, equipment and other materials to implement the district and school educational goals and objectives and meet pupil needs.

(b) The district board of education shall adopt an instructional materials and equipment policy which includes procedures for effective consultation with teaching staff members in the selection and utilization of such materials and equipment.

6:8-4.6 School and community relations

(a) The district board of education shall provide parents or guardians and other district residents opportunities for orientation and information regarding state regulations and local school procedures for implementation of district goals, objectives and standards.

(b) Teaching staff members, under the direction of the chief school administrator, shall identify community resources, services and needs in planning for continuous educational improvement, in consultation with parents or guardians, pupils and other district residents.

6:8-4.7 Administrative procedures

(a) Each district board of education, after consultation with the chief school administrator and teaching staff members, shall adopt efficient and admini-

strative procedures which shall include but not be limited to:

1. Sound district and school fiscal operations; and
2. Effective management procedures, pursuant to law and regulation.

6:8-4.8 School facilities

(a) New school facilities shall be planned to reflect current research and recommendations on the relationship of school design and size of educational program and a positive learning environment, pursuant to law and regulation.

(b) Each school building and site shall provide suitable accommodations to carry out the educational program of the school, including provision for the handicapped, pursuant to law and regulation.

(c) The district board of education shall ensure that all school buildings shall be safe, clean, attractive and in good repair.

Subchapter 5. Review and approval of proposed budget

6:8-5.1 Review by county superintendent

(a) Each district board of education shall submit to the office of county superintendent, on or before December 1, a copy of its proposed budget for the next school year. The office of county superintendent shall review each item of appropriation within the current expense and capital outlay budgets and shall determine the adequacy of such budgets with regard to the annual reports and long- and short-range objectives. The following information shall be submitted with the proposed budget:

1. Number of teaching staff members, as defined in these regulations, and all other employees for current year and requested budget year; and
2. A line item budget report or other authorized budget format.

(b) The office of county superintendent shall review and approve the proposed budget prior to its advertisement. If changes in the proposed budget are recommended by the office of county superintendent after review, pursuant to law and regulation, the office of county superintendent shall consult with the chief school administrator and district board of education.

Subchapter 6. Procedures for evaluation of the performance of each public school district and school.

6:8-6.1 Annual evaluation

(a) The commissioner shall conduct annually a uniform, statewide evaluation to ensure that each school district and each school within the district is performing according to the standards and procedures prescribed by law and regulation, as supplemented by this chapter.

(b) Each district board of education shall submit by July 1 a report describing progress of the district and each school within the district in achieving goals, objectives and standards. This report shall constitute part of the commissioner's annual evaluation of the district.

(c) The annual report shall be submitted on forms provided by the department of education and shall include but not be limited to:

1. Demographic data related to each school;
2. Results of district and school assessment programs of pupil achievement in basic skill areas;
3. Number of and reasons for school dropouts;
4. Evidence of the effectiveness by the district and each school within the

district in achieving applicable state, district and school goals and long- and short-range objectives and standards;

5. Plans and programs for professional improvement;

6. Plans to carry out innovative or experimental educational programs designed to improve the quality of education;

7. Recommendations for school improvements during the ensuing year;

8. Master plans of projected capital construction needs, pursuant to law and regulation;

and

9. Information on each school's fiscal operation including the district's audit report, when submitted, pursuant to law and regulation.

(d) The department of education shall not require in the annual report resubmission of information submitted in any other reports or forms.

(e) Each district and school within the district shall be monitored by persons designated by the commissioner for the purpose of evaluating the progress each school has made in implementing the standards, pursuant to this chapter.

6:8-6.2 Classification and notification

(a) The commissioner shall classify districts and each school within a district as approved, conditionally approved or unapproved, as defined in this chapter, based upon analysis of the annual reports submitted, the results of annual monitoring, and visitations by representatives of the commissioner.

(b) Classification of district or school shall become effective on the date of final action by the State Board of Education.

(c) The commissioner shall annually notify the chief school administrator and district board of education in writing of district and school classifications.

(d) The classification of every school and district shall be reported to the public by the district board of education, and a classification list shall be maintained in the office of county superintendent.

Subchapter 7. Corrective action

6:8-7.1 Remedial plan for conditionally approved or unapproved districts or schools

(a) The commissioner shall direct the chief school administrator and board of education responsible for a district or for a school within the district classified as conditionally approved or unapproved to prepare and submit a remedial plan for review by a specified date. The commissioner shall make available appropriate technical assistance.

(b) Upon approval of a remedial plan, the commissioner shall assure its implementation in a timely and effective manner.

6:8-7.2 Corrective action by commissioner

(a) If the commissioner finds that the remedial plan submitted by the district board of education is insufficient or if a plan approved by the commissioner is not implemented in a timely and effective manner, the district board of education shall be ordered by the commissioner to show cause why corrective action should not be taken, pursuant to law and regulation.

(b) If the commissioner of education, after a plenary hearing, determines that it is necessary to take corrective action, the commissioner may:

1. Order necessary budgetary changes within the school district, and/or

2. Order in-service training programs for teaching staff members and other personnel.

(c) If the commissioner determines that such corrective actions are insufficient, the commissioner shall recommend to the State Board that it take appropriate action.

6:8-7.3 Corrective action by State Board of Education

(a) The State Board of Education, on determining that the school or school district is not providing a thorough and efficient system of free public schools as defined in law and regulation, shall issue an administrative order specifying a remedial plan to the district board of education. This plan may include budgetary changes and/or other measures the State Board determines to be appropriate. Nothing therein shall limit the right of any party to appeal the administrative order to the Superior Court, pursuant to law.